

OIR-118:ers-3/27

U. S. Civil Service Commission
Washington 25, D. C.

My dear Commissioners:

Reference is made to Mr. L. A. Moyer's letter of 8 March 1946 regarding the Navy Department's recommendations for a general revision of Schedules A and B of the Civil Service rules.

Unless specifically commented on by the Navy Department, it is desired that all current provisions of Schedule A, Section I, be retained unchanged in the revision.

Enclosure 1 is extracts from the current versions of Schedules A and B. Included in Enclosure 1 are Schedule A-I, 7 and 9; Schedule A-V 1, 2, 3, 4, and 5; and Schedule B-VIII, 1, 2, 3, and 4.

Enclosure 2 is the text of the recommended revisions of the extracts of the existing Schedules A and B which are quoted in Enclosure 1. These recommended revisions are detailed as follows:

1. Schedule A-I-7: Alaska has been included in paragraph 7, on the same basis as an island possession of the United States. From the existing Schedule A, the following sentence, slightly modified, has been transferred from paragraph 9 to paragraph 7 of Schedule A-I: "Former employees who served in excepted positions in Alaska may be reinstated to positions in Alaska in the department in which they served upon recommendation of the appointing officer and approval of the Civil Service Commission." With this modification, the existing Schedule A-I-9 will be eliminated, resulting in existing Schedule A-I-10 becoming Schedule A-I-9. The Navy Department recommends that Alaska be placed in the same category as other beyond-continental-limits areas, except Hawaii.

Schedule A-I-7: The existing text of Schedule A-I-7 reads "in Puerto Rico when public exigency warrants." The Navy Department recommends that the phrase "when public exigency warrants," be deleted from the revised Schedule A-I-7. Puerto Rico, Guantanamo Bay, Cuba; Trinidad, B.W.I.; St. Thomas, V.I.; and other bases in the Caribbean (But not including the Canal Zone) are all within the Tenth Naval District; it is believed that all naval bases in the same district should have an appointment procedure operated on the same legal basis. "When public exigency warrants" was construed to mean hurricane, disaster, or other highly unusual conditions when originally promulgated. The duration of the war has been similarly construed to be a public exigency. The Navy Department sent a despatch to the Commandant of the Tenth Naval District, San Juan, Puerto Rico, regarding his wishes, and received a reply which is quoted in its entirety for the information of the Commission:

Document No. _____
Review of this document by [redacted]

determined that

CIA has no objection to disclosure
 It contains information of CIA
interest that must remain
classified at TS 3 0
Authority: NS 103
 It contains nothing of CIA

Date 17-6-81 Reviewer [redacted]

STAT

"FM COMMANDER CARIBBEAN SEA FRONTIER AND COMMANDANT TWENTH NAVAL DISTRICT 191829 TO ASTSEONAF FOR AIR X FOR CIR-112 X YOUR 161828 X CONCUR IN OPINION AT PRESENT TIME TO MAKE ALL POSITIONS PUERTO RICO EXCEPTED POSITIONS AND IN ELIMINATION PHRASE QUOTE WHEN PUBLIC EXIGENCY WARRANTS UNQUOTE X CONSIDER IT DESIRABLE HOWEVER THAT CONSIDERATION BE GIVEN IN FUTURE TO EXTENSION OF COMPETITIVE CLASSIFIED SERVICE TO ALL GRADED POSITIONS IN PUERTO RICO WHEN ADEQUATE CSC FACILITIES ARE AVAILABLE AND IF POLITICAL STATUS OF ISLAND WARRANTS X US ARMY CONCURS WITH ABOVE OPINION X NO OTHER FEDERAL AGENCIES CONSULTED SINCE ARMY AND NAVY EMPLOY APPROXIMATELY 82 PERCENT OF TOTAL FEDERAL EMPLOYEES ON ISLAND"

Schedule A-I-7: A recommended addition is "or in any areas beyond the continental limits of the United States occupied by the Armed Forces of the United States" This addition will clarify the status of appointments in the islands mandated to Japan, e.g., Saipan, Tinian, the Carolines, or the Marshalls, which, though now occupied by the United States, cannot at present be considered island possessions of the United States.

Schedule A-V-1: To be added is "one to the Under Secretary of the Navy."

Schedule A-V, 2 and 3: These two paragraphs are to be retained without change in the new revised Schedule A.

Schedule A-V-4: By letter of 18 March 1946 (see Enclosure 3), The Governor, United States Naval Home, recommended the deletion of the words "attendant and" from the existing paragraph. The navy Department concurs, and so recommends to the Civil Service Commission.

Schedule A-V-5 (existing): The existing provision of this paragraph duplicates the provisions of the present and proposed revised Schedule A-I-7 relating to the Philippines. It is recommended that the existing Schedule A-V-5 be abandoned as unnecessary.

Schedule A-V-5 (recommended): Because of the necessity of temporarily engaging research physicists and chemists, and electronic,eronautical, and other engineers, and various highly specialized individuals with particular skills, the Navy Department wishes to have available for its use this provision, which is almost identical with Schedule A-IX-26 (Dept. of Agriculture). The slight modification of the existing Dept. of Agriculture provision is to provide for a probable change in salary rates by new legislation it is expected will soon be enacted.

Schedule A-V-6 (recommended): Other Departments have a provision for an excepted position for the Secretary's chauffeur; the Navy Department does not at present have such a provision. While no change is immediately desired, it is believed that this courtesy should be available to any future Secretary of the Navy should he desire it. The Navy Department therefore recommends inclusion of this paragraph.

Schedule A-V-7 (recommended): The Navy Department desires a provision, somewhat similar to existing provisions of Schedule A-IV-7 for the War Department and Schedule A-IX-29 for Department of Agriculture, so as to permit prompt hiring of caretakers and guards when a facility is closed or decommissioned.

Schedule B-VIII-1 (existing): It is recommended that this provision be deleted as no longer necessary, as Schedule A-I-7, existing and recommended, fully covers the Philippines.

Schedule B-VIII-2 (existing): The same confidential reasons as obtained when this provision was established will make necessary its continuance. It is recommended that it become, without change of language, Schedule B-VIII-1.

Schedule B-VIII-3 (existing): This provision is no longer necessary. All changes to be made under it have probably long since been made. The Ramspeck Act further makes this provision unnecessary.

Schedule B-VIII-4 (existing): It is recommended that this provision, which was only recently added to Schedule B by Executive Order 9688 of 31 January 1948, be retained without change of language, and included as Schedule B-VIII-2.

In recommending the changes above, the Navy Department has been motivated by the desire to remove all possible obsolete provisions of Schedules A and B, to retain only pertinent provisions, and to ask for only such additional provisions as have been deemed administratively desirable. It is requested that the Navy Department be notified as promptly as possible concerning the acceptability of its recommendations.

Sincerely yours,

Encls.

Prepared by
Cdr. Ramsey
OIR-112